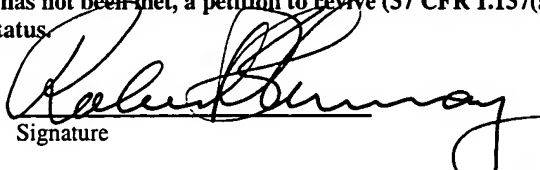


FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 2948-181
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>			U.S. Application No. (if known, see 37 CFR 1.5) <b>10/516507</b> New Application
INTERNATIONAL APPLICATION NO. PCT/US03/21061	INTERNATIONAL FILING DATE July 7, 2003	PRIORITY DATE CLAIMED July 8, 2002	
<b>TITLE OF INVENTION</b> VIRULENT PHAGES TO CONTROL LISTERIA MONOCYTOGENES IN FOODSTUFFS AND IN FOOD PROCESSING PLANTS			
<b>APPLICANT(S) FOR DO/EO/US</b> Martin LOESSNER, Richard M. CARLTON			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
<b>ITEMS 11. TO 20. below concern other document(s) or information included:</b>			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: PCT Demand, PCT/ISA/220, PCT/ISA/210, PCT/IPEA/416, Amdt. of Int'l Appln. under PCT Article 34, Rule 66.3, PCT/IPEA/408			

U.S. APPLICATION NO. <b>10/516507</b> New Application		INTERNATIONAL APPLICATION NO. PCT/US03/21061		ATTORNEY DOCKET NO. 2948-181					
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492)(a)(1)-(5):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report Not Prepared by EPO or JPO. .... \$ 1,110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report has been prepared by the EPO or JPO. .... \$ 950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. .... \$ 790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4). .... \$ 750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). .... \$ 100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">CALCULATIONS</th> <th style="width: 50%; text-align: center;">PTO USE ONLY</th> </tr> <tr> <td style="height: 100px;"></td> <td></td> </tr> </table>		CALCULATIONS	PTO USE ONLY		
CALCULATIONS	PTO USE ONLY								
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0					
Claims	Number Filed	Number Extra	Rate						
Total Claims	47 - 20 =	27	X \$18.00	\$ 176					
Independent Claims	5 - 3 =	2	X \$88.00	\$ 176					
Multiple dependent claim(s) (if applicable)			+ \$300.00	\$					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 762					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0					
<b>SUBTOTAL =</b>				\$ 762					
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0					
<b>TOTAL NATIONAL FEE =</b>				\$ 802					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40					
<b>TOTAL FEES ENCLOSED =</b>				\$ 802					
				Amount to be refunded	\$				
				charged	\$				
a. <input checked="" type="checkbox"/> A check in the amount of \$762 to cover the above filing fees and a check in the amount of \$40 to cover the Assignment Recordation fee is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a)          or (b)) must be filed and granted to restore the application to pending status.</b>									
SEND ALL CORRESPONDENCE TO:  <b>Customer No. 6449</b>  Robert B. Murray Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040									
<div style="text-align: right;">             Signature             Robert B. Murray            Name             22,980            Registration Number         </div>									